IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.63732-M of 2006

DATE OF DECISION:18.1.2007

Surinder Kaur .....Petitioner

Versus

State of Punjab .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri J.S. Rattu, Advocate
for Shri K.S. Ahluwalia, Advocate
for the petitioner.

Shri N.S. Gill, AAG, Punjab.

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Petitioner Surinder Kaur, who is mother-in-law of the complainant, apprehending her arrest in a non-bailable offence in case FIR No. 210 dated 19.4.2006 under Sections 406/498-A, IPC, registered at Police Station Sadar Patiala, has filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that in this case when the complainant left the matrimonial home, the husband filed a petition under Section 9 of the Hindu Marriage Act for restitution of conjugal rights. Subsequently, on the statement made by complainant-wife, the petition was withdrawn and the complainant started living with her husband. Thereafter again the complainant left the matrimonial home and was again brought back in matrimonial home on compromise. Counsel, however, contends that subsequently on the false allegations, the aforesaid FIR has been registered, in which, husband of the complainant was arrested and

was subsequently released on bail.

Counsel for the petitioner contends that in view of the order dated 1.12.2006, the petitioner has joined the investigation. This fact has not been disputed by the State Counsel.

In view of the above, the interim bail, granted vide order dated 17.10.2006is made absolute subject to the same terms and conditions.

Disposed of accordingly.

January 18, 2007 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**